Appl. No.: 10/804,223 Preliminary Amendment

## **Amendments to the Claims:**

The listing of claims will replace all prior versions, and listings of claims in the application:

## **Listing of Claims:**

## 1 - 51 (Cancelled)

- 52. (New) A method of treating or preventing inflammation or an inflammatory disease in a subject which comprises administering to the subject a preparation comprising a *Lactobacillus salivarius* strain of *Lactobacillus salivarius* wherein the *Lactobacillus salivarius* strain is isolated from resected and washed human gastrointestinal tract.
- 53. (New) The method of claim 52 wherein the inflammation is gastrointestinal inflammation.
- 54. (New) The method of claim 52, wherein the inflammatory disease is selected from any one or more of inflammatory bowel disease, Crohn's disease, ulcerative colitis, irritable bowel syndrome, pouchitis, post infection colitis, diarrhoeal disease, and a systemic inflammatory disease.
- 55. (New) The method of claim 54, wherein the diarrhoeal disease is associated with Clostridium difficile.
- 56. (New) The method of claim 54, wherein the diarrhoeal disease is associated with Rotovirus.
- 57. (New) The method of claim 54, wherein the diarrhoeal disease is post infective diarrhoeal disease.

Appl. No.: 10/804,223 Preliminary Amendment

58. (New) The method of claim 53, wherein the inflammation is due to a cancer or an autoimmune disorder.

- 59. (New) The method of claim 52, wherein the systemic inflammatory disease is rheumatoid arthritis.
- 60. (New) The method of claim 58, wherein the cancer is gastrointestinal cancer.
- 61. (New) The method of claim 52, which further comprises administering to the subject another probiotic material.
- 62. (New) The method of claim 52, which further comprises administering to the subject a prebiotic material.
- 63. (New) The method of claim 52, wherein the preparation is a formulation comprising an ingestible carrier.
- 64. (New) The method of claim 63, wherein the ingestible carrier is a pharmaceutically acceptable carrier.
- 65. (New) The method of claim 64, wherein the formulation is a pharmaceutical formulation in the form of a tablet, a capsule, or a powder.
- 66. (New) The method of claim 63, wherein the ingestible carrier comprises a protein, a polypeptide, a peptide, or a combination thereof.
- 67. (New) The method of claim 66, wherein the protein, the polypeptide, or the peptide is rich in glutamine, glutamate, or both.
- 68. (New) The method of claim 63, wherein the ingestible carrier comprises a lipid, a carbohydrate, a vitamin, a mineral, a trace element, or a combination thereof.

Appl. No.: 10/804,223 Preliminary Amendment

- 69. (New) The method of claim 63, wherein the ingestible carrier is a food product.
- 70. (New) The method of claim 69, wherein the food product is selected from any one or more of acidified milk, yoghurt, a frozen yoghurt, a milk powder, a milk concentrate, a cheese spread, a dressing, and a beverage.
- 71. (New) The method of claim 52, wherein the *Lactobacillus salivarius* strain is present at more than 10<sup>6</sup> cfu per gram of preparation.
- 72. (New) The method of claim 52, wherein the preparation comprises an adjuvant, bacterial components, a drug, a biological compound, or a combination thereof.
- 73. (New) The method of claim 52, wherein the subject is a mammal.
- 74. (New) The method of claim 73, wherein the mammal is human.
- 75. (New) The method of claim 52, wherein the *Lactobacillus salivarius* strain is in the form of viable cells.
- 76. (New) The method of claim 52, wherein the *Lactobacillus salivarius* strain is in the form of non-viable cells.
- 77. (New) The method of claim 52, wherein the *Lactobacillus salivarius* strain inhibits a broad range of Gram positive and Gram negative microorganisms.
- 78. (New) The method of claim 52, wherein the *Lactobacillus salivarius* strain secretes a product having anti-microbial activity into a cell-free supernatant, said activity being produced only by growing cells and being destroyed by proteinase K, pronase E, or both.

Appl. No.: 10/804,223 Preliminary Amendment

79. (New) The method of claim 52, wherein the *Lactobacillus salivarius* strain is *Lactobacillus salivarius* subspecies salivarius.

- 80. The method of claim 52, wherein the *Lactobacillus salivarius* strain is UCC118 [NCIMB 40829] or a mutant or variant thereof.
- 81. (New) The method of claim 52, wherein the *Lactobacillus salivarius* strain is a genetically modified mutant strain.
- 82. (New) The method of claim 52, wherein the *Lactobacillus salivarius* strain is a naturally occurring variant of *Lactobacillus salivarius*.
- 83. (New) A method of treating or preventing inflammation or an inflammatory disease in a subject comprising administering to the subject a preparation comprising a *Lactobacillus salivarius* strain of *Lactobacillus salivarius* wherein the *Lactobacillus salivarius* is characterised by changing an immunological marker when introduced into a system comprising cells which interact with the immune system and cells of the subject.
- 84. (New) The method claim 83 wherein the strain of *Lactobacillus salivarius* is isolated from resected and washed human gastrointestinal tract.
- 85. (New) The method of claim 83 wherein the cells which interact with the immune system are epithelial cells.
- 86. (New) The method of claim 83, wherein the immunological marker is a cytokine.
- 87. (New) The method of claim 86, wherein the cykotine is  $TNF\alpha$ .
- 88. (New) The method of claim 83, wherein the cells which interact with the immune system and the immune system cells are of matched origin.

Appl. No.: 10/804,223 Preliminary Amendment

89. (New) The method of claim 83, wherein the cells which interact with the immune system are of gastrointestinal, respiratory, or genitourinary origin.

- 90. (New) The method of claim 83, wherein the cells of the immune system are of gastrointestinal, respiratory, or genitourinary origin.
- 91. (New) A method of treating or preventing inflammation or an inflammatory disease in a subject which comprises administering to the subject a preparation comprising a strain of *Lactobacillus salivarius* UCC118 [NCIMB 40829] or a mutant or variant thereof.
- 92. (New) The method of claim 91, wherein the *Lactobacillus salivarius* strain is a genetically modified mutant strain.
- 93. (New) The method of claim 91, wherein the *Lactobacillus salivarius* strain is a naturally occurring variant of *Lactobacillus salivarius*.
- 94. (New) The method of claim 91, wherein the *Lactobacillus salivarius* strain is in the form of viable cells.
- 95. (New) The method of claim 91, wherein the *Lactobacillus salivarius* strain is in the form of non-viable cells.
- 96. (New) A method of treating or preventing cancer in a subject which comprises administering to the subject a *Lactobacillus salivarius* strain of *Lactobacillus salivarius* or a mutant or variant thereof.